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FILED ELECTRONICALLY VIA ECF

The Honorable Gregory H. Woods
United States District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Johnson v. FanDuel, No. 15-cv-7963 (GHW)

Dear Judge Woods:

We separately represent Defendants DraftKings, Inc. and FanDuel, Inc. in the above-referenced matter. We write to notify the Court that the Defendants have reached an agreement with the Plaintiffs with respect to service of the First Amended Complaint (Dkt. 6) and Summons (Dkt. 4) and extension of certain deadlines.

Defendants have agreed to accept service of the Amended Complaint and Summons and, in keeping with the precepts of Fed. R. Civ. P. 12(a)(1)(A)(ii), therefore request a 60-day extension to respond to the Amended Complaint, which yields a proposed deadline of December 21, 2015. Because petitions have been filed before the Judicial Panel for Multidistrict Litigation to consolidate this and several other putative class actions into one MDL proceeding, Defendants will be filing a motion to stay this proceeding in the near term. Although Plaintiffs do not agree to this stay because they have a pending motion for preliminary injunction, Plaintiffs have agreed to an extension of the deadline for Defendants to respond to Plaintiffs' Motion for Preliminary Injunction filed on October 19, 2015 (Dkt. 7), from November 2, 2015 until December 2, 2015, so that this Court may have an opportunity to first consider the motion for a stay.

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Defendants have not previously requested an extension of the deadline to respond to the Amended Complaint or the deadline to respond to the Motion for Preliminary Injunction. Plaintiffs do not oppose Defendants' requests for extension of time.

Respectfully submitted,

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